

Hearing Date: January 14, 2014
Time: 11:00 a.m.

OTTERBOURG P.C.
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Richard G. Haddad, Esq.
John Bougiamas, Esq.
Attorneys for Wells Fargo Bank, National Association
successor to Congress Financial Corporation

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re	:	
	:	
HERMAN JACOBS, VICTOR JACOBS and	:	Chapter 7
JACOB JACOBS,	:	Case No. 03-84455 (ESS)
	:	(Jointly Administered)
Debtors.	:	
-----	X	
CONGRESS FINANCIAL CORPORATION,	:	
	:	
Plaintiff	:	Adv. Proc. No. 03-08557 (ESS)
	:	
v.	:	
	:	
HERMAN JACOBS a/k/a HERMAN	:	
JACOBOWITZ a/k/a HERMAN JAKOBOWITZ,	:	
	:	
Defendant.	:	
-----	X	

**NOTICE OF MOTION OF PLAINTIFF WELLS FARGO BANK,
NATIONAL ASSOCIATION TO PUNISH FOR CONTEMPT
AND TO COMPEL COMPLIANCE WITH SUBPOENA**

PLEASE TAKE NOTICE, that upon the accompanying Affirmation of John Bougiamas dated November 19, 2013 and the exhibits annexed thereto, Plaintiff Wells Fargo Bank, National Association, successor to Congress Financial Corporation ("Wells Fargo"), will move before the United States Bankruptcy Judge Elizabeth S. Stong, United States Bankruptcy Court, Eastern District of New York, 271 Cadman Plaza East, Brooklyn, New York 11201, Room 3585 on

January 14, 2014 at 11:00 a.m., or as soon thereafter as counsel may be heard for an Order pursuant to Federal Rule of Civil Procedure 45 made applicable to this proceeding by Federal Rule of Bankruptcy Procedure 9016 to punish Sara Jacobowitz for contempt, compelling her to appear for her deposition and answer the questions posed by counsel, pay for court reporter and attorneys' fees in connection with the depositions and the costs incurred to prepare this motion together with such other, further and different relief as this Court may deem just and proper (the "Motion").

PLEASE TAKE FURTHER NOTICE, that objections ("Objections") to the relief requested in the Motion, if any, must be in writing, conform with the Bankruptcy Code and Rules, state with particularity the grounds therefor and be filed with the Court, with a courtesy copy to the Chambers of the Honorable Elizabeth S. Stong, and served upon, so as to be received by Otterbourg P.C., the attorneys for the Plaintiff, Attn: Richard G. Haddad, Esq. and John Bougiamas, Esq., no later than January 7, 2014 at 4:00 p.m., as follows: (a) (i) through the Bankruptcy Court's electronic filing system, which may be accessed through the Internet at the Bankruptcy Court's website at: <https://ecf.nyeb.uscourts.gov/cgi-bin/login.pl>; and (ii) in portable document format (PDF) using Adobe Exchange Software for conversion; or (b) if a party is unavailable to file electronically, such party shall submit the objection in PDF format on a diskette in an envelope with the case name, case number, type and title of document, document number to which the objection refers and the file name on the outside of the envelope. An objection filed by a party with no legal representation shall comply with Section (b) as set forth in this paragraph.

PLEASE TAKE FURTHER NOTICE, that the hearing on the approval of the Motion may be adjourned from time to time without any other announcement other than that set forth in open Court.

Dated: New York, New York
November 19, 2013

OTTERBOURG, P.C.
Attorneys for Plaintiff Wells Fargo Bank,
National Association successor to Congress
Financial Corporation

By: /s/ John Bougiamas
John Bougiamas
For the Firm
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TO:

Scott Krinsky, Esq.
BACKENROTH, FRANKEL & KRINSKY, LLP
Attorney for Sara Jacobowitz
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